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shall, for the purposes of sections 3 to 15, be deemed to be a person unauthorizedly occupying such land.'

It must be a lease of land belonging to the Government, or it must be a grant of land subject to certain conditions, the breach or the non-observance of which, will entail resumption by Government. There must be a specific grant of land by the Government or a specific lease for the provisions of this Act to be applied. In other cases, this Act will not be applied."

DEPUTY CHAIRMAN :—" The motion is—

'that the Madras Land Encroachment (Amendment) Bill, 1950, be taken into consideration at once'."

The motion was carried.

Clause 2 was put and carried.

Clause 3 was put and carried.

Clause 1 was put and carried.

The Preamble was put and carried.

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

'*that the Madras Land Encroachment (Amendment) Bill, 1950, be passed*'."

DEPUTY CHAIRMAN :—" The motion is—

'that the Madras Land Encroachment (Amendment) Bill, 1950, be passed'."

The motion was carried.

(7) THE MADRAS REPEALING AND AMENDING BILL, 1950.

* THE HON. SRI K. MADHAVA MENON :—" Sir, I beg leave to introduce the Madras Repealing and Amending Bill [a] 1950, and move—

'*that the bill be taken into consideration at once.*'

" Sir, hon. Members need not be frightened by the volume and the number of pages that are found in this Bill. There are a number of obsolete and spent out Acts on the Statute Book from 1859 onwards. So many Acts which have been passed, were temporary, or have worn out or have become spent out, but still they are on the Statute Book. From the time of adaptation of the laws under the New Constitution, we have been examining whether these Acts should be retained. For instance there is the Moplah Outrages Act. It is stated that the Government can cancel it by a notification. We have cancelled it by a notification. There is the Moplah Outrages Act Continuance Act. We have cancelled it by a notification. Still these Acts are on the Statute Book. A number of subsequent enactments have cancelled the previous enactments, but still the old Acts are on the Statute Book. This Bill contains two Schedules. The First Schedule deals with those Acts which are to be repealed. The Second Schedule deals with amendments to certain previous enactments. The amendments, in all cases, are only verbal. In the Madras

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a Published in the *Fort St. George Gazette*, dated 1st August 1950.

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Land Revenue Assessment Act, 1876, in section 2, for the words 'official gazette' in the second paragraph, the words 'District Gazette' are proposed to be substituted. Because, the term official gazette has been defined as *Fort St. George Gazette*, and that publication in the District Gazette will not be a sufficient publication. In the Local Authorities' Loan Act, 1888, the amendment proposed is, in section 1, before the words and figures 'Local Authorities' Loan Act, 1888', the word 'Madras' shall be inserted. In the case of a plural subject and singular predicate, we have substituted the singular predicate. We have examined all the Acts to the extent possible to correct any grammatical mistakes there may be. In the Madras Stamp (Amendment) Act, in Schedule I-A, Article 26, for the words 'greatest value', we have substituted the words 'greater value'. Similarly, in the Madras University Act, in section 45, for the words 'its institutions' we want to insert the words 'their institutions'. Again in section 53, for the words 'it deems fit', we have suggested the words 'they may deem fit'. These are all verbal amendments. I took so much time to explain all this, because Mr. Suryanarayana Rao has tabled an amendment that the Bill be referred to a Joint Select Committee of the two Houses. Not that I have any objection to refer the Bill to a Joint Select Committee if the House so thinks. After all there is nothing to be lost or gained by reference to a Joint Select Committee. In every case the House will see that the amendments proposed are all verbal to correct grammatical and other mistakes.

"In the Annamalai University Act, I want that for the words 'he deems fit', the words 'they deem fit' shall be substituted. So, this is the nature of the amendments that are proposed. I have looked into them carefully. Even in making these amendments I had made some mistakes which were found out subsequently. Therefore, I have myself given notice of one or two amendments. No particular purpose will be served by referring this Bill to a Select Committee. Hence, I move that the Bill be taken into consideration at once."

DEPUTY CHAIRMAN:—"The motion before the House is 3–30 p.m.

'that the Madras Repealing and Amending Bill, 1950, be taken into consideration at once'."

* SRI R. SURYANARAYANA RAO:—"Sir, I am obliged to the Hon. Minister for answering my point anticipating my motion for refernce to a Joint Select Committee. As the hon. Members of this House are aware, this is the third time when we are considering such a Bill in this House. I entirely agree that there are many obsolete enactments and the sooner they are removed from the Statute book the better for all. But apart from what the Hon. Minister has quoted, I refer him to the amendment moved to the Madras City Municipal Act (page 329 of the *Fort St. George Gazette*, dated 1st August 1950). The amendment is that in column (3) of the entry relating to section 285-A, for the words 'twenty rupees', the words 'two hundred rupees' shall be substituted. Sir, this is not a small matter. This is one which has to be looked into carefully. Another amendment there is, that in

Schedule VIII, in column (3) of the entry relating to section 285-A, for the words ' two hundred rupees ' the words ' twenty rupees ' shall be substituted. Only these things struck me and I immediately thought that it would be better to refer the Bill to a Joint Select Committee. (The Hon. Sri K. Madhava Menon : ' It relates to fines '.) Whether it is fine, licence fee, or anything else, it will not take more than an hour if a few people sit together, examine the matter and once for all dispose of these alterations.''

* THE HON. SRI K. MADHAVA MENON :—'' The original section is very ridiculous, regarding these two hundred rupees and twenty rupees. The intention was to impose a fine of two hundred rupees for a first offence and a daily fine of twenty rupees for a continuing breach, under that section. But just the reverse was put in the section. So, as it remained, the fine for the first offence was Rs. 20 and for every day of continuation of that offence the fine was Rs. 200. This was a mistake that had crept in. So, we want it to be corrected.''

* SRI R. SURYANARAYANA RAO :—'' I may also tell the Hon. Minister that copies of this Bill were supplied to many Members only to-day. As soon as I got notice of it, I came to the office, obtained a copy and skipped through it. Most of the Bills were not supplied to us before they were introduced to-day. I had, therefore, no time as wanted to give notice of amendments. As there were so many alterations to be made, I thought it was curious that this error should have been allowed to exist so long. I thought that a few people, perhaps even lawyer members of both the Houses, might sit together and once for all dispose of the matter. Of course, everybody is anxious that obsolete legislation should be removed from the Statute Book and all errors should be corrected. There may be some other errors also, even commas and full-stops creeping in and giving a lot of trouble. That was the object with which I gave notice of the motion to refer the Bill to a Joint Select Committee. I am not very anxious that a Joint Select Committee should examine it. If the Hon. Minister assures me that he has gone through the Bill and that he will go through the Bill again as he has done now and given notice of two amendments himself, and see that the other mistakes that still persist in these Statutes are corrected by way of an Amending Bill, I am not anxious that it should be referred to a Joint Select Committee. I do not propose to move my amendment. All that I request the Hon. Minister is to go through and examine this matter once again and correct all errors, some obvious, some grammatical and some topographical.''

* THE HON. SRI K. MADHAVA MENON :—'' The former two Repealing and Re-enacting Bills that were introduced were not with reference to old obsolete Acts. A number of legislations were passed during the Advisers Regime between 1942 and 1945. They were valid only for one year after the termination of the Advisers' Regime. So, we considered which of those things should be repealed, and which should be re-enacted. In one batch, we brought the Repealing and Re-enacting Bill which was referred to a Select Committee. They considered that some of them should

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be considered and extended for another year. We have considered them and brought forward the Bill. I can assure the House that not a single amendment is in this Bill where a question of principle is involved. If any more mistakes are found out, we shall certainly rectify them."

DEPUTY CHAIRMAN :—" The question is—

'that the Madras Repealing and Amending Bill, 1950, be taken into consideration at once '."

The motion was carried.

Clauses 2, 3 and 4 and the First Schedule were put one after another and carried.

The Second Schedule.

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

' *that in column* (4) *of the Second Schedule*—

(1) *in the entry relating to the Madras City Land Revenue Act,* 1851 (*Central Act XII of* 1851), *for the word* " *Crown* ", substitute *the word* " *Government* ".

(2) *in the entries relating to the Madras Shops and Establishments Act,* 1947 (*Madras Act XXXVI of* 1947), for *item* (*i*), substitute *the following* :—

" (*i*) *In section 2, for clause* (7), *the following clause shall be substituted, namely* :—

' (7) " *factory* ", *means any premises which is a factory within the meaning of the Factories Act,* 1948 '." ' "

DEPUTY CHAIRMAN :—" The motion is—

'that in column (4) of the Second Schedule—

(1) in the entry relating to the Madras City Land Revenue Act, 1851 (Central Act XII of 1851), *for* the word "Crown ", *substitute* the word " Government ".

(2) in the entries relating to the Madras Shops and Establishments Act, 1947 (Madras Act XXXVI of 1947), *for* item (i), *substitute* the following :—

" (i) In section 2, for clause (7), the following clause shall be substituted, namely :—

'(7) " factory ", means any premises which is a factory within the meaning of the Factories Act, 1948 '." ' "

The amendments were carried.

The Second Schedule as amended was put and carried.

Clause 1 was put and carried.

The preamble was put and carried.

THE HON. SRI K. MADHAVA MENON :—" Sir, I move—

' *that the Madras Repealing and Amending Bill,* 1950, *as amended, be passed* '."

DEPUTY CHAIRMAN :—" The motion is—

' that the Madras Repealing and Amending Bill, 1950, as amended, be passed '."

The motion was carried.